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NATIONAL ENERGY BOARD
REASONS FOR DECISION

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In the Matter of an Application under
the National Energy Board Act

of



Trans Québec & Maritimes Pipeline Inc.

**For The Taking of
Additional Lands**

March 1982

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Ce rapport est
publié séparément
dans les deux
langues officielles

NATIONAL ENERGY BOARD

In the Matter of an application by Trans Quebec & Maritimes Pipeline Inc. for authority to take additional lands required for the construction, maintenance and operation of a pipeline pursuant to Section 74 of the National Energy Board Act.

HEARD AT the City of Trois-Rivières, Quebec, on 1 and 2 March 1982.

BEFORE:

J.L. Trudel	)	as Presiding Member delegated by the
	)	Board to hear and decide this
	)	application and to make all orders
	)	incidental thereto, in accordance
	)	with section 13 of the National
	)	Energy Board Act.

APPEARANCES:

Jacques LeBel, Q.C.,	)	Trans Québec & Maritimes Pipeline Inc.
Norma Desmarais)	
Yvon Brisson	)	Gaz Inter-Cité Québec Inc.
Robert Meunier	)	Gaz Métropolitain, inc.
Jacques Hurlet	)	Ville de Le Gardeur (Tract No. Q5-66-1)
Rolland Aubin	)	Himself (Tract No. Q7-41)
André-Gilles Lambert	)	Himself (Tract No. Q7-70)
Jean Ouellet)	Edgar Joly (Tract No. Q7-71)
Richard Makuch)	National Energy Board
Louise Meagher)	

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ABBREVIATIONS

NAMES

"The Act"	-	National Energy Board Act
"the Board"	-	National Energy Board
"TQM" or "the Applicant"	-	Trans Québec & Maritimes Pipeline Inc.

TERMS

"m"	-	metre(s)
"km"	-	kilometre(s)
"mm"	-	millimetre(s)
"O.D." or "Ø"	-	Outside Diameter
"R.O.W."	-	Right-of-Way

CHAPTER 1

BACKGROUND AND APPLICATION

On 16 May 1980 the National Energy Board ("the Board") issued Certificate of Public Convenience and Necessity No. GC-65 to TransCanada PipeLines Limited authorizing the construction and operation of a gas pipeline from Boisbriand to Lévis/Lauzon. Since then, the Board has approved two deviations to the approved pipeline route from Boisbriand to Yamachiche¹ and from Yamachiche to Trois-Rivières.²

This Certificate was subsequently transferred to Trans Québec & Maritimes Pipeline Inc. ("TQM" or "the Applicant") on 10 December 1981, pursuant to Board Order No. MO-5-81.

Section 73 of the National Energy Board Act ("the Act") provides that any company that has received a certificate from the Board may take an 18.29 metre ("m") wide right-of-way without the consent of the owner.

Where a company needs more than an 18.29 m wide right-of-way for permanent or temporary servitude, it may under section 74 of the Act apply to the Board for authority to take, without the consent of the owner, the additional lands required. These lands must be required for "the efficient construction, maintenance or operation of a pipeline or for constructing or taking any works or measures ordered by the Board."

-
1. National Energy Board Reasons for Decision, in the Matter of an Application pursuant to Subcondition 2(2) of Certificate of Public Convenience and Necessity No. GC-65 - July 1981.
 2. Findings Delivered from the Bench at Quebec City on 10 November 1981. Reasons for Decision January 1982.

Any order issued by the Board in the exercise of its powers under section 74 of the Act may be made subject to such terms and conditions as the Board deems expedient. The issue of payment for lands expropriated by a pipeline company is not, however, decided by the Board. In the Province of Quebec, the matter of compensation is determined by a superior court judge as arbitrator under the provisions of the Railway Act.

The present application, as amended, by TQM under section 74 of the Act, was made in respect of certain properties located within two separate land areas (spreads) to be traversed by the pipeline between Boisbriand and Trois-Rivières where TQM intends to carry out construction during the summer of 1982. The lands to be taken fall into three categories: permanent right-of-way, temporary working rights and lands to be acquired outright.

Within those two "summer construction" areas, involving approximately 83.6 kilometre ("km"), the pipeline will traverse 481 properties owned by 374 owners.

The application by TQM, as amended, was made with respect to 160 properties affecting 108 individual landowners. Thereafter, TQM updated its land requirements to include 164 properties and 110 individual landowners which was further revised and reduced to 163 properties affecting 109 landowners.

At the opening of the hearing, TQM stated that it had continued negotiations with the landowners and had reached settlements respecting 97 properties affecting 59 individual

landowners, leaving 66 properties affecting 50 individual landowners, as set out in Appendix 1.

The Board has subsequently been informed by TQM by letters dated 4, 9, 10, 15 and 16 March, 1982 that options for servitude have been secured as set out in Appendix 2.

CHAPTER 2

NOTICE OF HEARING, INTERVENTIONS AND APPEARANCES

NOTICE OF HEARING

The Board is satisfied on the basis of the affidavit evidence filed by TQM that all the landowners identified by TQM were served personally more than 21 days before the hearing with a true copy of the Board's Notice of Hearing, Order No. MH-2-82, a true copy of the application, a general route map and a site specific plan showing the additional lands required.

INTERVENTIONS

The Board received six written interventions prior to the hearing; two from gas distributors (Gaz Inter-Cité Québec Inc., and Gaz Métropolitain, inc.), one from a private company (B.G.L. Inc. - Tract No. Q6-147-1), one from a municipality (Ville de Le Gardeur - Tract No. Q5-66-1) and two from landowners (Maurice Hénault - Tract No. Q6-153, Q6-155 & Q7-1 and Jean Ouellet for Edgar Joly - Tract No. Q7-71).

APPEARANCES

Mr. Rolland Aubin (Tract No. Q7-41) appeared on his own behalf, primarily to object to the routing of the pipeline through his property.

Mr. André-Gilles Lambert (Tract No. Q7-70), who appeared on his own behalf, also opposed the routing of the pipeline through his lands.

Mr. Jean Ouellet, who appeared for Mr. Edgar Joly (Tract No. Q7-71), objected to the expropriation of Mr. Joly's land on the ground that thorough and timely negotiations for the temporary servitude required on Mr. Joly's property had not been undertaken by the Applicant.

Mr. Jacques Hurlet appeared for the Ville de Le Gardeur (Tract No. Q5-66-1) and presented a drawing identifying a new route for the pipeline through this property, which was acceptable to all parties concerned.

Mr. Robert Meunier and Mr. Yvon Brisson appeared respectively for Gaz Métropolitain, inc. and Gaz Inter-Cité Québec Inc.

The remaining landowners did not appear at the hearing nor submitted written interventions. Nevertheless, the Board has given due consideration to the evidence presented by the Applicant in respect of each property.

CHAPTER 3

LAND REQUIREMENTS

GENERAL EVIDENCE OF THE APPLICANT

TQM presented general evidence as to its requirements for additional permanent right-of-way, temporary right-of-way and lands to be acquired outright. TQM also presented specific evidence for each property on which it was applying for additional lands as set out in Appendix 1.

Permanent Servitudes

At the hearing, TQM stated that it was applying for leave to take without the consent of the owners, additional permanent rights-of-way having a width of 4.71 m for a total pipeline right-of-way width of 23 m as set out in Appendix 1. The Applicant indicated that a 23 m wide right-of-way is required for efficient construction, maintenance and operation of its pipeline.

The Applicant further stated that a 23 metre permanent servitude is the minimum width of right-of-way required to construct a 610 millimetres ("mm") diameter pipeline. TQM illustrated this requirement by describing the various phases of pipeline construction that would take place within the 23 m wide right-of-way using the schematic drawing as set out in Appendix 3.

TQM testified that, during the operation phase, the right-of-way must be free of all structures and trees to enable it to carry out excavation work over the pipeline as required. The

Applicant explained that, to replace a portion of its pipeline, or to tie-in future facilities it would be necessary to strip the topsoil and to make a larger excavation than would be required during the initial construction of the pipeline. Consequently, a larger storage area for the excavated material would be required.

TQM also noted that, in urban areas where development could take place in proximity to the pipeline, access to its facilities for maintenance purposes could be jeopardized if it did not maintain a 23 m permanent right-of-way.

Temporary Servitudes

In its application, TQM indicated that it would require temporary working rights at various locations along the pipeline in order to accommodate special construction requirements more particularly at road, railway and other crossings where boring operations or extra depth ditches necessitate extra space for a large spoil pile, and where geotechnical study had shown that the ditch would be unstable and sloped banks would be necessary. These requirements are set out in Appendix 1.

The Applicant explained its requirement for temporary working rights utilizing nine different situations as set out in the following descriptions:

Description II - Case 2 Soils

A 610 mm O.D. pipeline installed in Case 2 terrain and soils would require a 36 m wide construction zone as

shown in Appendix 4. Case 2 soil consists of soft to very soft sensitive clays of fluvio-glacial origin. The clays are generally silty and stratified with sand or silt seams. This silty deposit has a very high moisture content and is extremely soft and sensitive to local disturbances.

In these deposits, in order to achieve a stable trench, it is required that the trench be excavated with side slopes not steeper than about one horizontal measure to one vertical measure.

Description III - Case 3 Soils

A 610 mm O.D. pipeline installed in Case 3 terrain and soils would require a 28 m wide construction zone as shown in Appendix 5. Case 3 soil consists of firm to stiff, sensitive clays. In general, these marine clay deposits are covered by a surficial cover of sand or recent alluvion of variable thickness. Where the clay deposit is located very near to ground surface, its upper part is dried out by the effects of seasonal variation of the ground water table. This crust zone has a low water content. However, in a disturbed state, the clay is transformed into a semi-liquid and is susceptible to flow.

In this type of terrain, the trench can be excavated with

relatively steep slopes, of about one horizontal to two vertical without any major stability problems.

Description IV - Case 2/3 Soils

A 610 mm O.D. pipeline installed in Case 2/3 terrain and soils would require a 31 m wide construction zone. As shown in Appendix 6, Case 2/3 soils consist of firm to soft, sensitive clays. In general, these marine clay deposits are overlain by a surficial cover of sand and contain some stratified sand and silt seams. Although the upper crust of the sand/clay deposit is generally dried out by the seasonal groundwater variations, the silt and sand seams usually have a very high moisture content and the terrain is notably sensitive to local disturbances. In this type of terrain, the trench can be excavated with side slopes of an average inclination of 1 horizontal to 1.5 vertical without experiencing any major stability problems.

Description V - Case 4 Soils

A 610 mm O.D. pipeline installed in Case 4 terrain and soils will require a 40 m wide construction zone as shown in Appendix 7. Case 4 soil consists of clay deposits overlain by a surficial sand layer of variable thickness. Throughout the low lying flood plain areas, in poorly drained high terrace sectors and in aquifer recharge

zones, a high groundwater condition exists.

Excavation of these fine sand deposits below groundwater level results in the caving of the trench walls to an average inclination of about three horizontal to one vertical.

Description VI - Case 5 Soils

A 610 mm O.D. pipeline installed in Case 5 terrain and soils would require a 31 m wide construction zone, as shown in Appendix 8. Case 5 soil consists of well-drained high terrace sands where the groundwater table is generally located directly at the sand/marine clay contact, or slightly above this contact. Thus, in this zone drained conditions will be encountered, entirely or partly, over the depth of the excavation, depending on the thickness of the sand cover.

Where the drained sands extend to the bottom of the trench, stable trench side slopes would have an average inclination of about one horizontal to one vertical.

Description VII - Road Crossings

The width of right-of-way normally required for general pipeline construction must be widened at road crossings because of the special construction techniques involved in the installation of a bored road crossing. A typical road crossing layout is shown in Appendix 9.

Description VIII - Railway Crossing

The width of right-of-way normally required for general pipeline construction must be widened at a railroad crossing because of the special techniques involved in the installation of a bored rail crossing. A typical railway crossing layout is shown in Appendix 10.

Description X - River Crossings

The right-of-way width normally required for general construction must be widened wherever the pipeline traverses a sharp depression such as a river. The amount of temporary working space required will vary with the configuration of each river.

The extra work space is necessary to accommodate the significant concentration of construction activities clustered around the crossing site.

Description XI - Municipal Drains - Watercourses

The 23 m width of the right-of-way normally required for general construction must be widened at all municipal drains and waterways as shown in Appendix 11.

Lands to be acquired outright

TQM in its application stated that in addition to permanent and temporary servitudes it would need the ownership rights for certain lands to be acquired for the installation of proposed sales meter stations and the access roads to the said meter stations. These requirements are set out on page 5 of 5 in Appendix 1.

LANDOWNERS' EVIDENCE & APPLICANT'S POSITION

Three landowners made representations at the hearing, namely: Mr. Rolland Aubin (Tract Q7-41), Mr. André-Gilles Lambert (Tract Q7-70) and Mr. Jean Ouellet on behalf of Mr. Edgar Joly (Tract Q7-71).

Mr. Rolland Aubin (Tract Q7-41)

Mr. Aubin indicated in his testimony that he would prefer a different routing for the pipeline - one that would not necessitate the taking of his lands. He suggested that the Applicant realign the proposed pipeline in order to make use of property owned by the Quebec Department of Transport, more specifically an access ramp to Autoroute 40. Mr. Aubin said that his concern was that the proposed route might in the future interfere with the possible installation of additional storage tanks or an advertising standard at his self-service gas station. Mr. Aubin did not present any evidence to refute TQM's contention that the additional permanent servitude across his lands would be necessary.

The Applicant testified that it had discussions with the Quebec Department of Transport, during which TQM was informed by the autoroute authority that, for the sake of preserving the integrity of the autoroute system, it objected to the routing of the pipeline within its property.

Mr. André-Gilles Lambert (Tract Q7-70)

Mr. Lambert read a statement to the Board, which contained three main points. Firstly, Mr. Lambert objected to the routing of the pipeline through his property, as well as through others, on the ground that prime agricultural land would be withdrawn from agricultural use. Secondly, he objected to the width of the servitude applied for, expressing the opinion that TQM could safely construct and operate the pipeline within the 18.29 m already allowed to it under the Act. Mr. Lambert did not present any evidence to support this opinion. Thirdly, he objected to the expropriation process, stating that the Applicant had not seriously negotiated with him for the additional servitude.

TQM informed the Board that the route through Mr. Lambert's lands had been negotiated with the Union des Producteurs Agricoles du Québec and the Direction for the Protection of Agricultural Land and had been approved by the Commission de Protection du Territoire Agricole. The Applicant presented evidence to support its request for the width as applied-for. It also stated that the construction and operation of the pipeline would not seriously affect agricultural production as the servitude required was along a railway and the expropriated land would be restored to a state of production equivalent to that prior to construction. TQM also testified that it had seriously attempted to negotiate a settlement with Mr. Lambert, but that it had been unsuccessful in this regard.

Mr. Jean Ouellet on behalf of Mr. Edqar Joly (Tract Q7-71)

The statements and evidence presented to the Board by Mr. Ouellet were directed towards the negotiation process followed by TQM with regard to Mr. Joly's property. Mr. Joly had, in June 1981, settled with the Applicant with respect to the permanent servitude required through his lands. However, Mr. Ouellet, acting on Mr. Joly's behalf, objected to the expropriation of the temporary servitude on the ground that proper negotiation for this servitude had not taken place. In particular, Mr. Ouellet presented evidence showing that an additional temporary servitude required by the Applicant for a ditch crossing identified as "Lafontaine Houle" had not been the subject of any negotiations prior to the serving of the expropriation notice on Mr. Joly.

TQM outlined the steps it had taken in attempting to negotiate with Mr. Joly and testified that it had tried its utmost to arrive at a settlement for the temporary servitude. As to the requirements for the "Lafontaine Houle" ditch crossing, the Applicant admitted that it had not identified the need for additional land belonging to Mr. Joly until the time the expropriation notice was served on him. TQM testified, however, that it had attempted to arrive at a settlement with Mr. Joly with respect to these lands prior to the hearing date. The negotiations, said the Applicant, were to no avail.

REVISED ROUTE ACROSS TRACT Q5-66-1 (VILLE DE LE GARDEUR)

Mr. Jacques Hurlet, representing the Ville de Le Gardeur presented a new plan showing a route different from that originally approved by the Board ³ and different from that submitted by TQM for expropriation purposes. Mr. Hurlet informed the Board that the new route, as set out in Exhibit 124, was acceptable to the Ville de Le Gardeur.

TQM, in describing the lands crossed by the new route, indicated that those lands presently owned by the Ville de Le Gardeur were subject to an option to purchase by Hydro Québec which would, in the near future, enter into a deed of sale. The new route was the result of negotiations between Hydro Québec, TQM and the Ville de Le Gardeur, and it appears that this route is acceptable to all parties concerned.

3 National Energy Board Reasons for Decision, in the Matter of an Application pursuant to Subcondition 2(2) of Certificate of Public Convenience and Necessity No. GC-65 - July 1981

CHAPTER 4

VIEWS OF THE BOARD

The Board views with reluctance the taking of additional lands without the consent of the owners. The Board recognizes, however, that sometimes expropriations may be necessary in the public interest.

The Board accepts the evidence presented by TQM that it requires a 23 m wide permanent right-of-way for the efficient construction, maintenance and operation of its pipeline between Boisbriand and Trois-Rivières. It also accepts that this right-of-way must be free of all trees and structures in order to allow unobstructed access to the pipeline during the operation and maintenance phases.

The Board is satisfied that the additional temporary rights-of-way are required by TQM as presented in their evidence.

The Board is also satisfied that TQM requires lands to be acquired outright for meter stations and associated access roads.

Mr. Rolland Aubin (Tract Q7-41)

The Board is satisfied that the lands being requested by TQM are required for the efficient construction, maintenance and operation of the pipeline. The Applicant's evidence to this effect was not contradicted by Mr. Aubin, as he was more concerned with the routing of the pipeline through lands adjacent to his and the taking of his lands for permanent servitude. The Board is hopeful that the Applicant will make further attempts at negotiating a

satisfactory settlement with this landowner.

Mr. André-Gilles Lambert (Tract Q7-70)

The Board is satisfied that the additional lands requested are necessary for the efficient construction, maintenance and operation of the pipeline.

The Board is also satisfied that TQM will comply with the conditions set out in Certificate No. GC-65 regarding the protection of farmlands and the environment.

Mr. Jean Ouellet on behalf of Mr. Edgar Joly (Tract Q7-71)

The Board, after reviewing the evidence submitted at the hearing, is of the opinion that the additional lands requested are necessary for the efficient construction of the pipeline.

The Board appreciates the concern expressed by Mr. Ouellet with regards to the process of negotiations that have taken place. However, the Board also appreciates that additional land requirements are continually being identified, as final design progresses, on a project of such magnitude.

Ville de Le Gardeur (Tract Q5-66-1)

The Board has carefully reviewed the evidence it has before it and finds that it is not in a position to make a decision with respect to this property. A revised route plan was submitted by the parties at the hearing and seemed acceptable to all concerned. Mr. Hurlet stated that an agreement in principle had been reached.

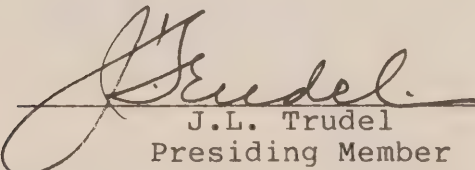
CHAPTER 5

DECISION OF THE BOARD

The Board finds that the additional permanent servitudes, the temporary servitudes and the lands to be acquired outright sought by TQM, as set out in Appendix 1 with the exception of those properties where options have since been negotiated as set out in Appendix 2, are required for the efficient construction, maintenance and operation of the pipeline.

The Board, however, is not prepared at this time to issue an expropriation order with regards to Tract No. Q5-66-1, presently owned by Ville de Le Gardeur. The Applicant withdrew its application for the additional lands as originally filed with the Board and indicated that an agreement in principle for the additional lands along a revised route had been reached with the parties concerned.

The Board orders accordingly.


J.L. Trudel
Presiding Member

ADDITIONAL LAND REQUIREMENTS TERRAINS ADDITIONNELS REQUIS
MH-2-82

TRACT NO. NO. DU DROIT DE PASSAGE	DRAWING NO DESSIN NO. (1-02-20-AL-)	OWNER PROPRIETAIRE	PERMANENT SERVITUDE SERVITUDE PERMANENTE		TEMPORARY SERVITUDES SERVITUDES TEMPORAIRES		SOIL CASE TYPE DE SOL		† DESCRIPTION NO. ADDITIONAL REQUIREMENTS EXIGENCES SUPPLEMENTAIRES
			LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)			
Q4-165NN Q4-167C ADJ Q4-167J & Q4-167K	-0011B-15 -0011B-33 -0011B-41A	MARYSE BITTAR JOSEPH NESSIM CORPORATION DE DEVELOPPEMENT IMMOBILIER G.A.G. LTÉE	18,74/18,62 18,48/18,47	4,71 4,71	18,62/18,49 18,54/18,52 34,86/30,00	5,0 5,0 10,0	III III		VIII
ADJ Q5-1-1	-0012-1A	CORPORATION DE DEVELOPPEMENT IMMOBILIER G.A.G. LTÉE			46,63/51,67	10,0			VIII
Q5-10A/12	-0012-10	CORPORATION DE DEVELOPPEMENT IMMOBILIER G.A.G. LTÉE	1 517,34/1 534,29	4,71	1 413,97/1 411,87 40,87/47,00 35,77/33,19	5,0 19,0 IRR,	III		VII VII VII, X
Q5-20 Q5-36	-0012-12 -0012-23	NICOLAS CANTIN CHEMIN QUINTAL DEVELOPMENT CORPORATION	184,42/184,54 196,81/196,84	4,71 4,71	107,92/101,08 183,83/183,96 196,63/196,67	25,0 5,0 5,0	III III		
Q5-39	-0012-31	HARREL-GAPIN ENTERPRISES INC.	201,25/201,33	4,71	167,16/170,81 38,65/30,00	8,0 20,0	VI		XI
Q5-41 Q5-45	-0012-32 -0012-26	HARREL-GAPIN ENTERPRISES INC. MOREDALE REALTY CORPORATION	185,00/185,03 133,17/113,10	4,71 4,71	184,86/184,90 133,56/133,44	8,0 8,0	VI VI		
Q5-46	-0012-27	ESTATE/SUCCESSION CUTHBERT FAFARD	124,68	4,71	124,68	8,0	VI		
Q5-64 Q5-66-1	-0013-6 -0013-8	LÉON DESLIPPES VILLE DE LE GARDEUR	199,44/119,46 340,84/347,01	4,71 4,71	119,46/119,49 347,01/352,93	5,0 5,0	III III		
Q5-66-1	-0013-8A	VILLE DE LE GARDEUR	383,53/373,72	4,71	35,49/48,43 30,66/36,20 218,50/218,66	10,0 20,0 5,0			XI XI VII
					36,16/30,00 61,58/48,43 24,42/30,00	20,0 5,0 10,0	III		XI

ADDITIONAL LAND REQUIREMENTS - TERRAINS ADDITIONNELS REQUIS
MH-2-82

TRACT NO. NO. DU DROIT DE PASSAGE	DRAWING NO. DESSIN NO. (1-02-20-AL-)	OWNER PROPRIÉTAIRE	PERMANENT SERVITUDE		TEMPORARY SERVITUDES		SERVITUDES TEMPORAIRES	
			LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	SOIL CASE TYPE DE SOL	ADDITIONAL REQUIREMENTS EXIGENCES SUPPLÉMENTAIRES
Q5-69-1	-0013-10	ESTATE/SUCCESSION ANDRÉ PAPIN & HENRI, MICHELLE & MARIELE PAPIN	182,64/182,66	4,71	37,81/36,78	5,0	III	XI
Q5-72-1	-0013-22	CLAUDE PICARD	265,35	4,71	265,35	5,0	III	XI
Q5-75	-0013-13	LÉON DESLIPPES	262,72/262,77	4,71	262,77/262,81	5,0	III	
ADJ Q5-88	-0014-1A	GASTON DEVAULT, LES IMMEUBLES CAM-SYL INC.			233,53/264,97	5,0	III	
Q5-108/Q6-1 PPPB 15A & PPPB 14	-0014-6	THE SIXTEEN INVESTMENT CORPORATION	415,45/386,75 599,95/600,0	4,71 4,71	466,98/458,06 569,67	5,0 5,0	III III	VII
Q6-8	-0015A-4	LES PLACEMENTS J.P.M.V. LIMITÉE	88,89	4,71	30,0/30,1	10,0		
Q6-9	-0015A-5	DOMAINE REPENTIGNY INC.	437,99/437,80	4,71	177,67/177,65	5,0	III	
Q6-10	-0015A-6	ANDRÉ ET GILLES PRUD'HOMME	89,98	4,71	89,98	5,0	III	
Q6-21	-0015B1-1	JACQUES TOUCHETTE	82,35/83,00	4,71	83,0/83,69	5,0	III	
Q6-33	-0015B1-4	CORPORATION MUNICIPALE DE SAINT-SULPICE	132,07/132,21	4,71	102,21/101,56 30,0/31,59	5,0 10,0	III	VII
Q6-147-1	-0018A-5	B.G.L. INC.	73,04/73,05	4,71	73,05/73,09	17,0	V	
Q6-153	-0018A-7	MAURICE HÉNAULT	301,35	4,71	301,35	17,0	V	
Q6-155	-0018A-8	MAURICE HÉNAULT	71,47/71,48	4,71	71,48/71,51	17,0	V	
Q7-1	-0019-1	MAURICE HÉNAULT	538,47/538,67	4,71	538,67/539,46	17,0	V	
Q7-4	-0019-3	JACQUES TARTE	78,04/78,08	4,71	78,08/78,23	17,0	V	
Q7-6	-0019-5	JACQUES TARTE	341,52/341,66	4,71	341,66/342,13	17,0	V	
Q7-7A	-0019-23	JACQUES TARTE	126,59/121,01	4,71	121,01/100,86	17,0	V	
Q7-21	-0019-9	JEAN-GUY LANDRY	479,53/483,63	4,71	483,63/491,27	8,0	VI	
Q7-28	-0019-11	CORPORATION MUNICIPALE DE LA VILLE DE BERTHERVILLE	161,11/175,68	4,71	175,68/200,43	8,0	VI	

ADDITIONAL LAND REQUIREMENTS TERRAINS ADDITIONNELS REQUIS

MH-2-82

TRACT NO. NO. DU DROIT DE PASSAGE	DRAWING NO. DESSIN NO. (1-02-20-AL-)	OWNER PROPRIÉTAIRE	PERMANENT SERVITUDE SERVITUDE PERMANENTE		TEMPORARY SERVITUDES SERVITUDES TEMPORAIRES		SOIL CASE TYPE DE SOL		*DESCRIPTION NO.
			LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	TYPE DE SOL	EXIGENCES SUPPLÉMENTAIRES	
Q7-31	-0019-13	CORPORATION MUNICIPALE DE LA VILLE DE BERTHIERVILLE	268.53/269.79	4.71	269.79/271.95	8.0	VI		
Q7-32	-0019-14	LUCKY INVESTMENT INC. FHALMI ENTERPRISES LTD	13.12/45.77	4.71	45.77/101.22	8.0	VI		
Q7-34A	-0019-16	DANA ORIGINALS INC.	93.51/93.62	4.71	61.24/61.39 32.38/32.0	8.0 22.0	VI		XI
Q7-41	-0019-18	ROLLAND AUBIN	7.69/17.06	4.71					
Q7-43	-0019-19	CORPORATION MUNICIPALE DE LA VILLE DE BERTHIERVILLE	148.11	1.83	68.86/68.85 10.68	6.0 20.0	II		VII
Q7-45	-0019-20	ALPHONSE PARENT	467.9/467.88	1.83/4.71	101.43/101.55	5.88	II		
Q7-46	-0019-21	MURIELLE LACOURSÈRE	138.64/138.66	4.71	366.45/366.42 138.53/138.67	3.0 10.0	II		
Q7-67	-0020-2	CAMILLE SYLVESTRE	1 213.92/1 220.92	4.71	138.66/138.67 1 220.92/1 240.26	3.0 13.0	II		VII, X
Q7-69	-0020-3	LOUIS ROCHETTE	334.21/334.30	4.71	86.18/87.33 157.68/158.37	IRR, 8.0	IV		XI
Q7-70	-0020-4	ANDRÉ-GILLES LAMBERT	430.74	4.71	64.02 112.60/111.98	25.0 8.0	IV		
Q7-71	-0020-12	EDGAR JOLY			395.38/395.95 35.36/33.41	8.0 25.0	IV		XI
Q7-73	-0020-6	MARCEL FRAPPIER	88.39	4.71	132.62/132.00 30.00/28.05	8.0 25.0	IV		XI
Q7-74	-0020-7	LÉONIDAS DURAND	180.67/180.68	4.71	54.13/54.70 34.26/32.81	8.0 20.0	IV		XI
Q7-75	-0020-8	MARCEL FRAPPIER	82.04/82.39	4.71	31.36/32.81 149.32/148.77	20.0 8.0	IV		
					52.31/52.88 30.08/30.00	8.0 20.0	IV		VII

ADDITIONAL LAND REQUIREMENTS - TERRAINS ADDITIONNELS REQUIS

MH-2-82

TRACT NO. NO. DU DROIT DE PASSAGE	DRAWING NO. DESSIN NO. (1-02-20-AL-)	OWNER PROPRIÉTAIRE	PERMANENT SERVITUDE SERVITUDE PERMANENTE		TEMPORARY SERVITUDES		SERVITUDES TEMPORAIRES	
			LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	SOIL CASE TYPE DE SOL	† DESCRIPTION NO. ADDITIONAL REQUIREMENTS EXIGENCES SUPPLÉMENTAIRES
Q7-79	-0020-13	LUCIEN LACOURSE			66.78/67.74 39.74/37.30	8.0 20.0	IV	XI
Q7-81	-0020-11	MARCEL FRAPPIER	348.24	4.71	348.24/348.23	8.0	IV	
Q7-96	-0021-3	DANIEL BÉRARD	239.53/239.54	4.71	239.54/239.56	8.0	IV	
Q7-97	-0021-4	ANTONI BÉRARD	121.55/121.56	4.71	121.56/121.58	8.0	IV	
Q7-98	-0021-5	REYNALD BÉRARD	90.58/90.61	4.71	90.61/90.68	8.0	IV	
Q7-99	-0021-6	ANTONI BÉRARD	310.58/310.49	4.71	170.20/163.53 110.23/118.41 113.47/121.60	8.0 10.0 10.0	IV	XI VII, XI VII
Q7-101	-0021-7	PIERRE DUGRÉ	74.63	4.71	30.06/30.00 30.00/30.04 30.14/30.20 44.49/44.46	14.0 10.0 14.0 8.0		VII VII VII
Q7-103	-0021-8	SYLVA FRAPPIER	105.19/105.56	4.71	105.56/106.17	8.0	IV	
Q7-104	-0021-9	HORACIEN DUPUIS	151.09/151.14	4.71	151.14/151.26	8.0	IV	
Q7-105	-0021-10	BERNARD BÉRARD	121.57/121.58	4.71	121.58/121.59	8.0	IV	
Q7-106	-0021-11	HUBERT COULOMBE	176.06/176.05	4.71	141.37/140.27 34.68/37.47	8.0 20.0	IV	XI
Q7-107	-0021-12	BERNARD BÉRARD	91.64/91.66	4.71	37.43/34.69 54.23/55.36	20.0 8.0		XI
Q7-111	-0021-16	BENOIT BÉRARD	181.45/181.26	4.71	117.23/114.52	20.0	IV	XI
Q7-112	-0021-17	JEAN-PIERRE BÉRARD	164.25	4.71	64.03/64.80 129.05/128.28	8.0 8.0	IV	
Q7-113	-0021-18	ROLAND BRULÉ	63.33/63.34	4.71	35.20/37.09 37.09/35.2 26.25/27.02	20.0 20.0 8.0		XI XI

APPENDIX 1
APPENDICE 1

ADDITIONAL LAND REQUIREMENTS TERRAINS ADDITIONNELS REQUIS

MH-2-82

TRACT NO. NO. DU DROIT DE PASSAGE	DRAWING NO DESSIN NO. (1-02-20-AL-)	OWNER PROPRIETAIRE	PERMANENT SERVITUDE SERVITUDE PERMANENTE		TEMPORARY SERVITUDES SERVITUDES TEMPORAIRES		SERVITUDES TEMPORAIRES	
			LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	SOIL CASE TYPE DE SOL	ADDITIONAL REQUIREMENTS EXIGENCES SUPPLEMENTAIRES
Q7-115	-0021-20	ROLAND BRÛLÉ	87,54	4,71	55,18/54,52 32,36/34,26	8,0 20,0	IV	XI
Q7-120	-0021-25	REYNALD BÉRARD	246,21/246,19	4,71	246,19/246,17	8,0	IV	
Q8-22	-0022-11	LES PRODUITS LOUCHEL INC.	201,74/206,78	4,71	201,12/187,67 19,75/36,43	8,0 10,0	VI	VII VII
Q8-32	-0023-1	YVON LAURENDEAU	311,04	4,71	57,77/66,19 131,51	10,0 8,0	IV IV	
Q8-49	-0023-4	LÉONARD & EDOUARD CASAUBON	91,19/87,78	4,71	148,23/146,42 30,00/33,09 36,82/39,37 78,73/72,02 3,94/20,24 34,05/35,68	17,0 14,0 8,0 20,0 14,0	IV	XI XI VII VII

LANDS TO BE ACQUIRED (OUTRIGHT) TERRAINS À ACQUÉRIR

TRACT NO. NO. DU DROIT DE PASSAGE	DRAWING NO. DESSIN NO. (1-02-20-AL-)	OWNER PROPRIETAIRE	PERMANENT SERVITUDE SERVITUDE PERMANENTE		TEMPORARY SERVITUDES SERVITUDES TEMPORAIRES		† DESCRIPTION NO. ADDITIONAL REQUIREMENTS EXIGENCES SUPPLEMENTAIRES
			LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	LENGTH LONGUEUR (m)	WIDTH LARGEUR (m)	
Q5-10A Q5-12	-0012-10	LA CORPORATION DE DÉVELOPPEMENT IMMOBILIER G.A.G. LTÉE	55,43/IRR, 55,43/55,89	IRR, 6,0			
Q7-43	-0019-19	CORPORATION MUNICIPALE DE LA VILLE DE BERTHIERVILLE	187,50/187,52 106,84/106,64 50,0	20,12 7,62 IRR,			

NOTE : † REFER TO CHAPTER 3 OF
REPORT FOR EXPLANATION
OF DESCRIPTION NUMBERS

NOTA: † SE REPORTER AU CHAPITRE 3 DU
RAPPORT AUX FINS D'EXPLICATION
DES NUMÉROS DE DESCRIPTION

APPENDIX 2
APPENDICE 2

OPTIONS SIGNED SUBSEQUENT
TO THE HEARING

OPTIONS SIGNÉES APRÈS
L'AUDIENCE

TRACT NO.
NO. DU DROIT
DE PASSAGE

DRAWING NO.
DESSIN NO.
(1-02-20-AL-)

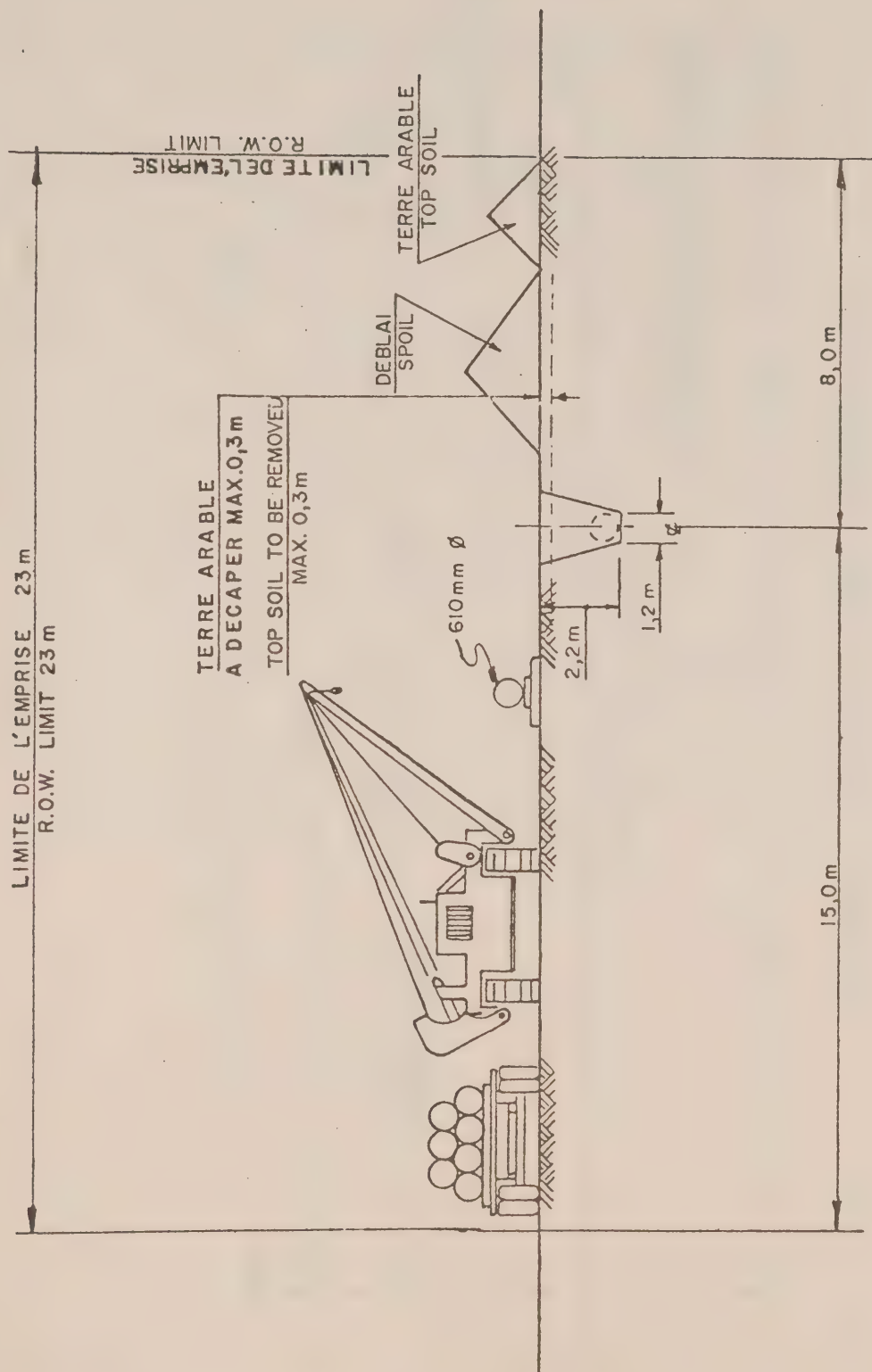
OWNER
PROPRIÉTAIRE

* Adj. Q4-167J/Q4-167K	-0011B-41A	La Corporation de Développement Immobilier G.A.G. Ltée
Adj. Q5-11	-0012-1A	
Q5-10A/Q5-12	-0012-10	
* Q5-20	-0012-12	Nicolas Cantin
Q5-36	-0012-23	Chemin Quintal Development Corp.
Q5-45	-0012-26	Moredale Realty Corp.
** Adj. Q5-88	-0014-1A	Gaston Devault, Les Immeubles Cam-Syl Inc.
Q5-108/Q6-1 PPPB 15A & PPPB 14	-0014-6	The Sixteen Investment Corporation
Q7-4	-0019-3	Jacques Tarte
Q7-6	-0019-5	Jacques Tarte
Q7-7A	-0019-23	Jacques Tarte
Q7-69	-0020-3	Louis Rochette
Q7-79	-0020-13	Lucien Lacourse
Q7-96	-0021-3	Daniel Bérard
Q7-98	-0021-5	Reynald Bérard
Q7-120	-0021-25	Reynald Bérard

- * Advised by telex dated 18 March 1982.
- * Avisé par télex en date du 18 mars 1982.
- ** Advised by telex dated 23 March 1982.
- ** Avisé par télex en date du 23 mars 1982.

SECTION EN TRAVERS DE LA SERVITUDE DU GAZODUC DE 610 mm ϕ
 SECTION ACROSS THE R.O.W. LIMIT
 OF THE NATURAL GAS PIPE-LINE OF 610 mm ϕ

APPENDIX 3
 APPENDICE 3



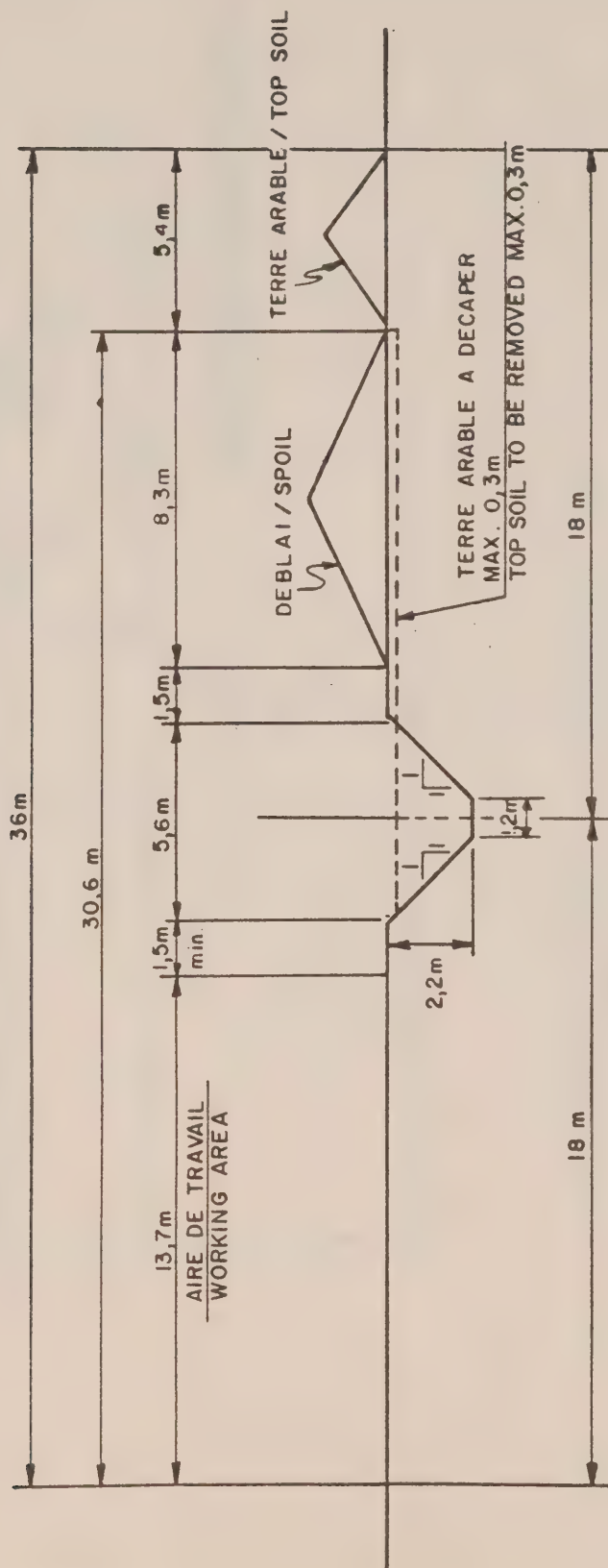
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 ECHELLE : P.A.E. / SCALE : N.T.S.

Consortium
Canest

81-08-22

CAS - 2 / CASE - 2

ARGILE TRES MOLLE A MOLLE, TRES SENSIBLE
VERY SENSITIVE, SOFT TO VERY SOFT CLAY

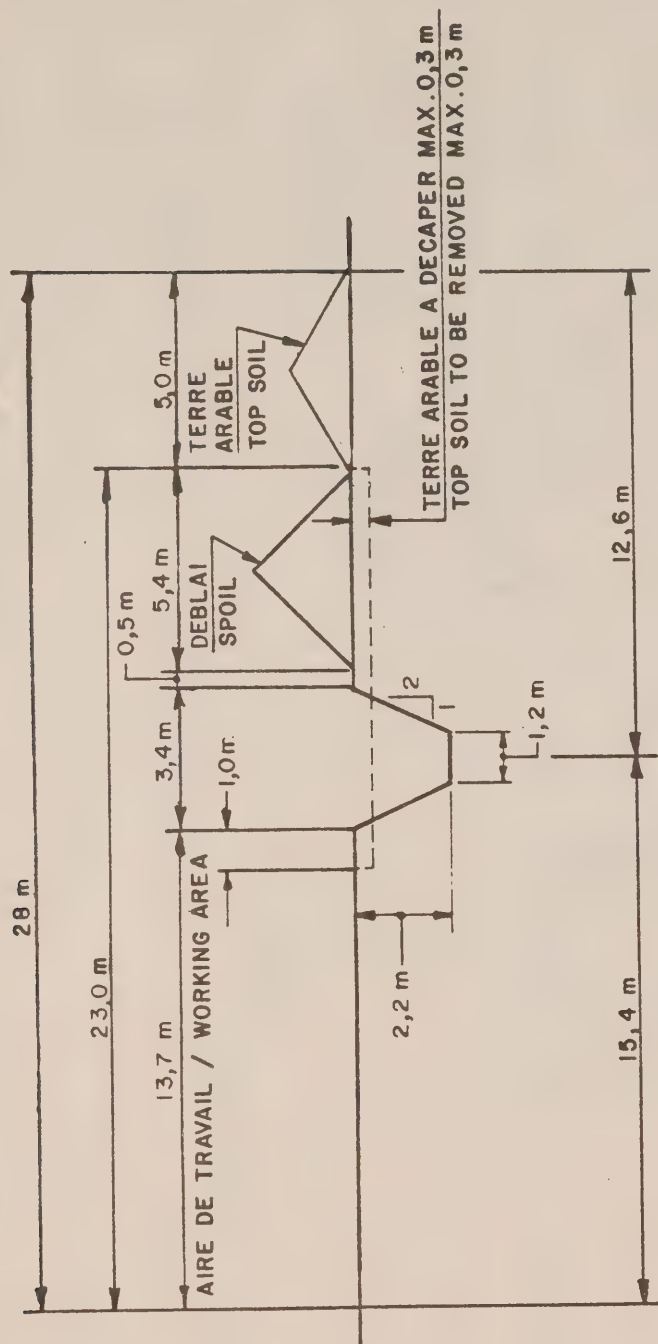


— ESPACE REQUIS / SPACE REQUIRED —
ECHELLE : P.A.E. / SCALE : N.T.S.

Consortium
Canest

81 - 08 - 22

CAS -3 / CASE-3
ARGILE SENSIBLE FERME A RAIDE
FIRM TO STIFF SENSITIVE CLAY

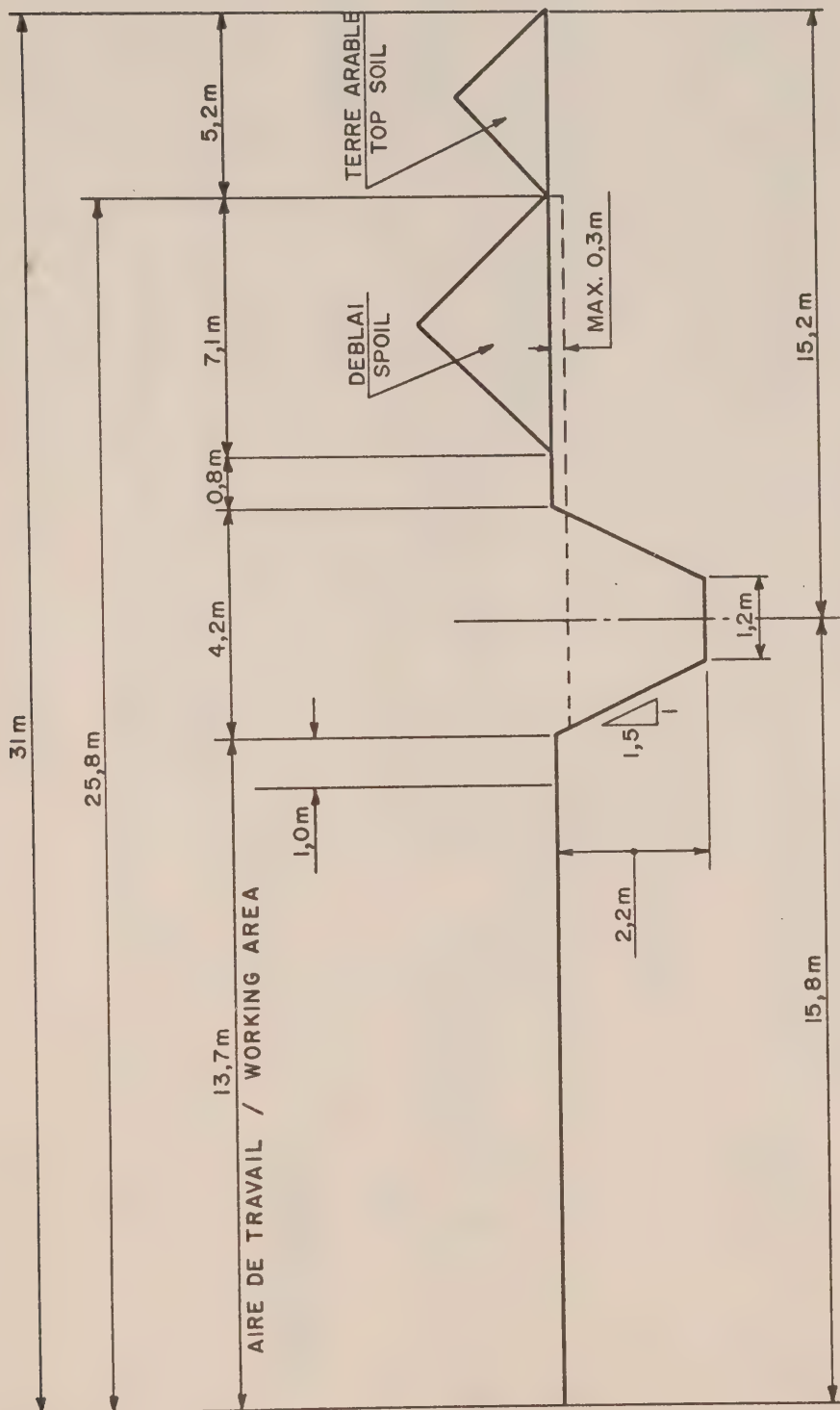


—ESPACE REQUIS / SPACE REQUIRED—
ECHELLE: P.A.E. / SCALE: N.T.S.

COMPOSITION DU TERRAIN DES CAS 2 ET 3

MIXTURE OF SOIL CASES 2 AND 3

APPENDIX 6
APPENDICE 6



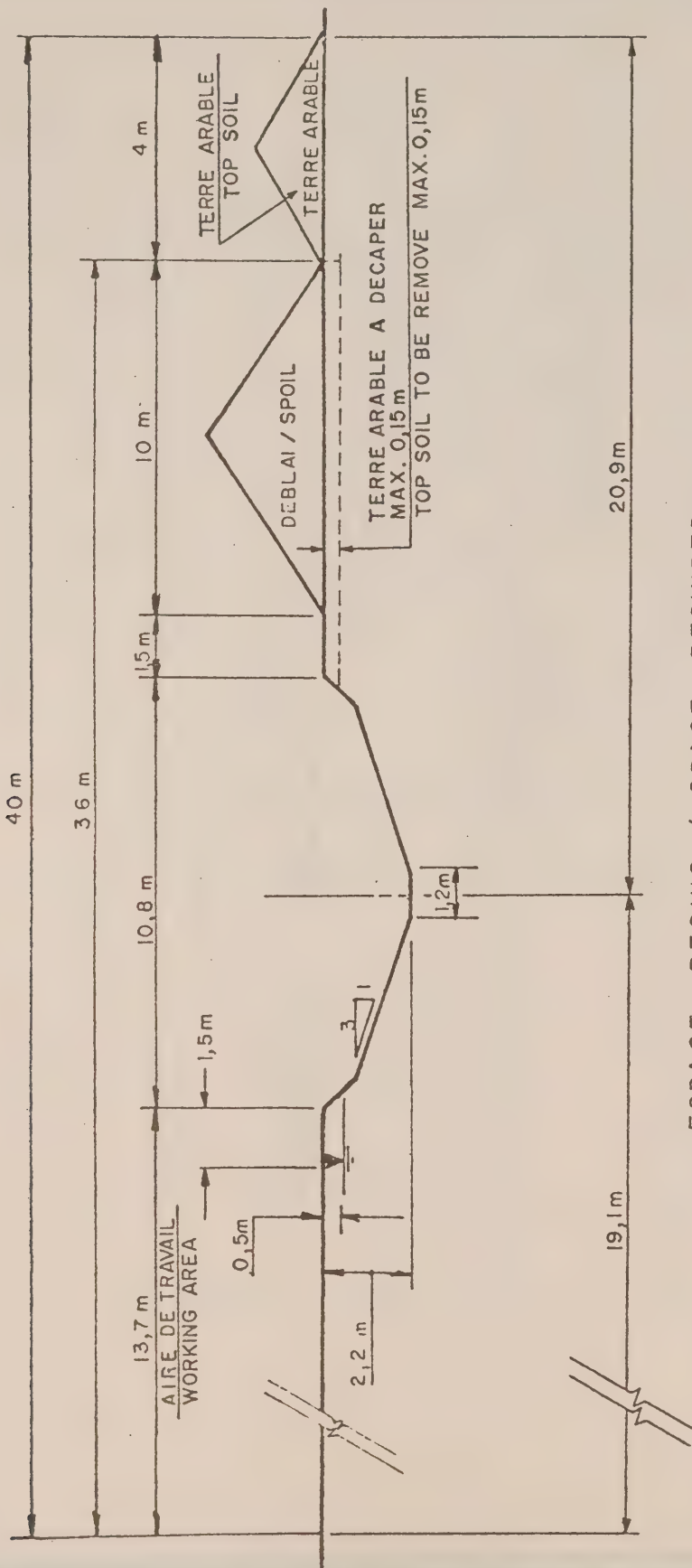
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Consortium
Canest

81 - 08 - 22

CAS - 4 / CASE - 4

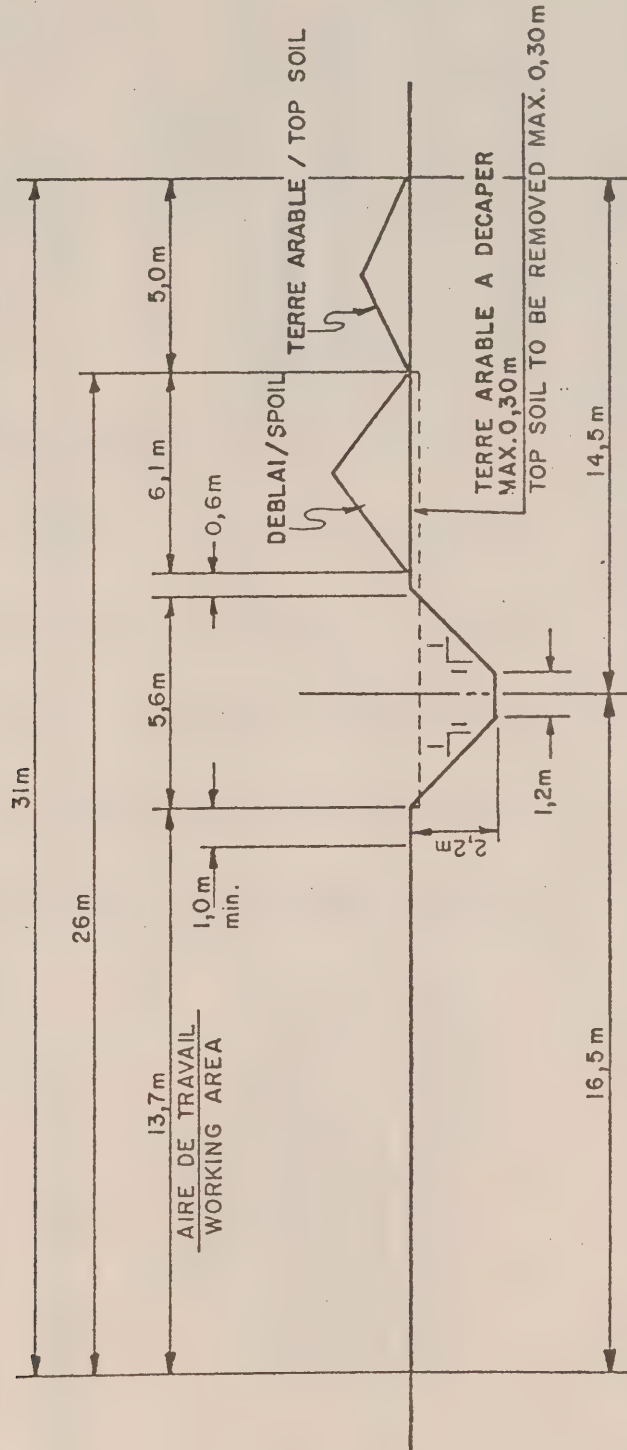
SOL GRANULAIRE SATURE / GRANULAR SATURATED SOIL



— ESPACE REQUIS / SPACE REQUIRED —
EHELLE : P.A.E. / SCALE : N.T.S.

CAS-5 / CASE - 5

SABLE DRAINE SUR ARGILE / DRAINED SAND OVER CLAY

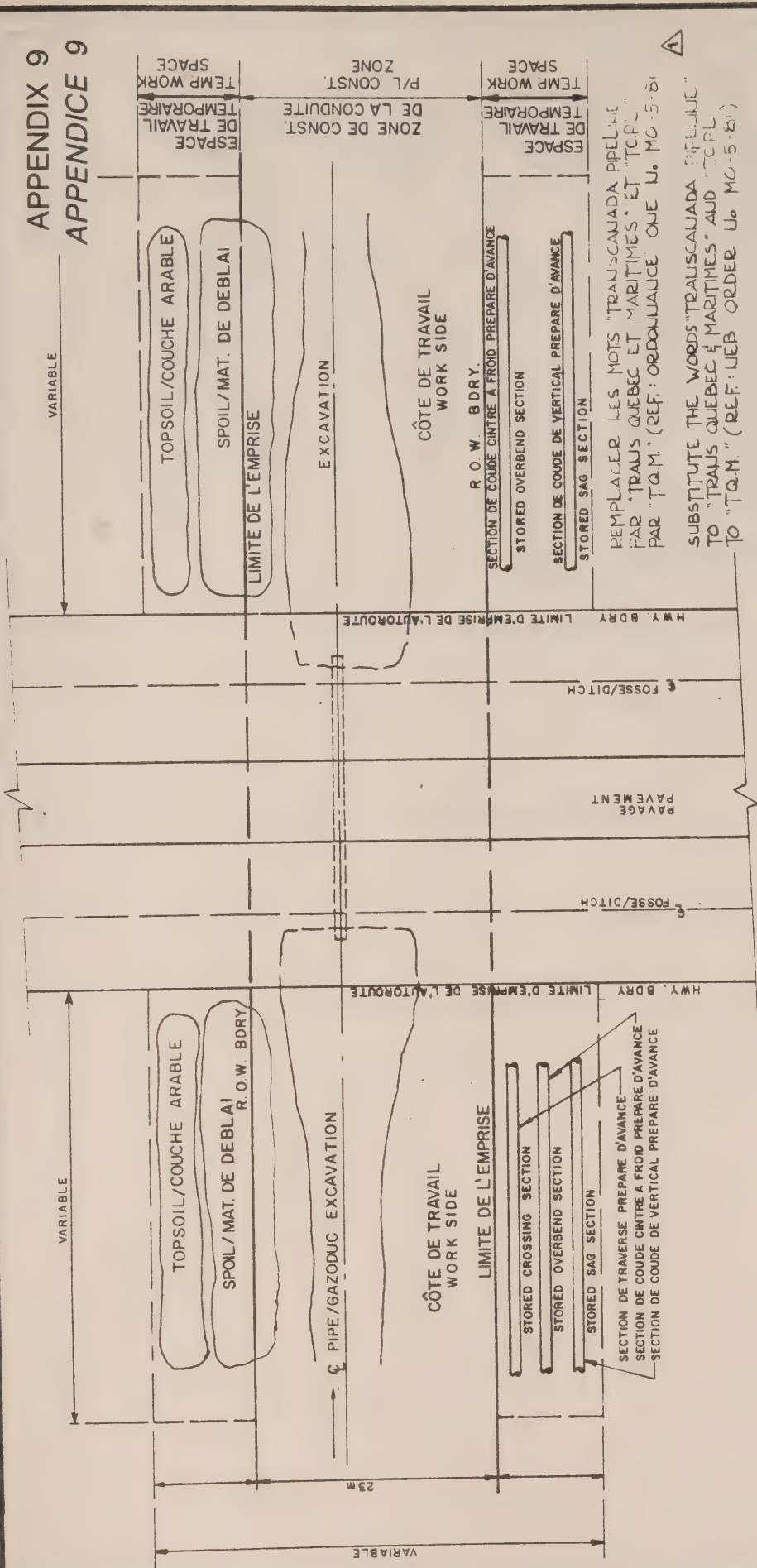


— ESPACE REQUIS / SPACE REQUIRED —
ECHELLE : P.A.E. / SCALE : N.T.S.

Consortium
Canest

81-08-22

APPENDIX 9 APPENDICE 9

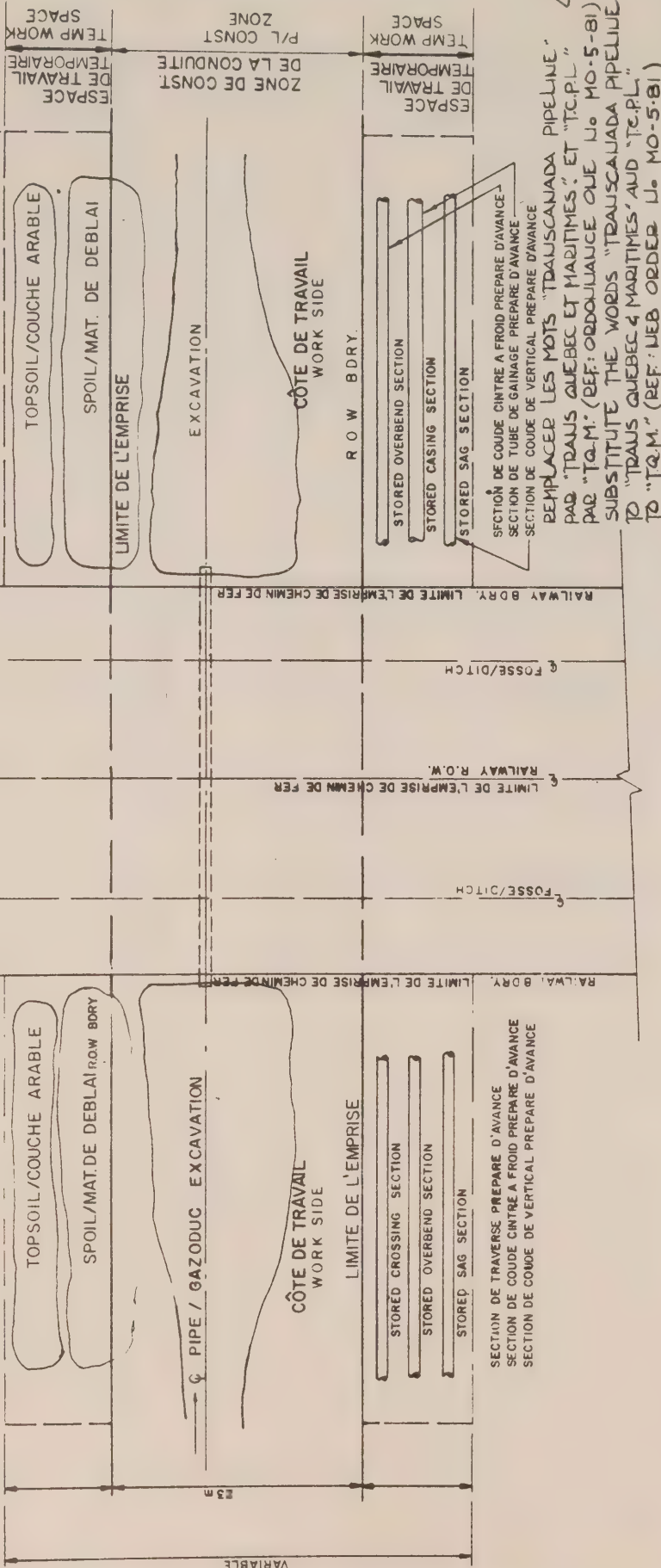


No. 1 NOTE AJOUTEE		Revisions		Par By	Date	Ver. Ckc	CONSORTIUM CANEST	Client : TransCanada Pipelines	Approval du Client pour Construction Client Approval for Construction	Feuille Sheet	de of
								Désigné par Drawn by: L.W.	Date 81-8-22		
								Vérifié par Checked by: J	Date 81-8-23		
								Conçu par Designed by: Jm	Date 81-8-31		
								Approuvé par Approved by: EN	Date 81-8-31		
								Echelle Scale: NTS	Rev. 1		
								TITRE DU DESSIN: SERVICE DE CONSTRUCTION D'UN CROISEMENT TYPE DE ROUTE EXTRA WORKING SPACE REQUIRED FOR TYPICAL ROAD CROSSING			
								DETAIL I			

APPENDIX 10 APPENDICE 10

VARIABLE

VARIABLE

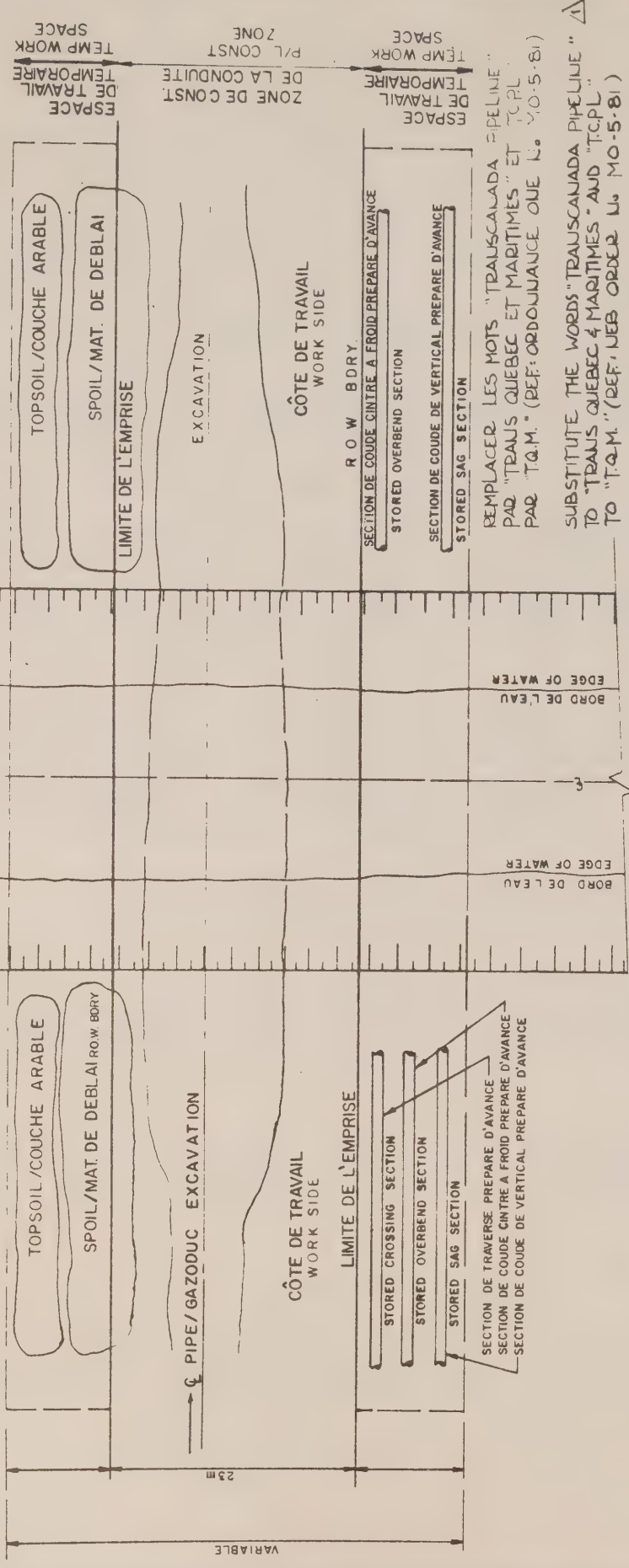


N Revisions Par By Date Ver Cxc		Consortium CANEST		Client TransCanada Pipelines		Approval du Client pour Construction Client Approval for Construction		Feuille Sheet de of	
1 NOTE ADJOUTEE B.D. 13/02/10				Projet Project '10		Date 81-8-22 5/16/28 81-8-31 81/8/31		Destinée par Drawn by L.W. Vérifiée par Checked by Confir. par Designed by Approuvée par Approved by Echelle Scale Dessin No Drawing No	
				Titre du dessin Drawing title SERVICE TEMPORAIRE REQUISE POUR FINS DE CONSTRUCTION D'UN CROISEMENT TYPE DE CHEMIN DE-FER EXTRA WORKING SPACE REQUIRED FOR TYPICAL RAIL CROSSING				Rev 1 Detail 3	

APPENDIX 11 APPENDICE 11

VARIABLE

VARIABLE



REPLACER LES MOTS "TRANSCANADA PIPELINE" PAR "TRANS QUEBEC ET MARITIMES" ET "TCPL" PAR "T.Q.M." (REF: ORDONNANCE OUE L. V.O-5-81)
SUBSTITUTE THE WORDS "TRANSCANADA PIPELINE" TO "TRANS QUEBEC & MARITIMES" AND "TCPL" TO "T.Q.M." (REF: NEB ORDER L. MO-5-81)

Approbation du Client pour Construction Client Approval for Construction		Feuille Sheet		de of	
Client Consortium CANEST		Design, par Drawn by L.W.		Date 8-8-22	
Project Project No		Verified by Checked by		Date 8-8-28	
Title du dessin Drawing title		Conçu par Designed by		Date 8-8-31	
SERVITUDE TEMPORAIRE REQUISE POUR FINS DE CONSTRUCTION D'UN CROISEMENT TYPE D'UN FOSSE DE DRAINAGE EXTRA WORKING SPACE REQUIRED FOR TYPICAL CROSSING OF MUNICIPAL DRAIN		Approuvé par Approved by		Date 8-18-31	
Echelle: Scale:		NTS		Rev 1	
Dessin No Drawing No		DETAIL 2		2	

NOTE AJOUTÉE

B.D. 220210

df

APPENDIX 12
APPENDICE 12

Extent of Lands that may be Taken

73. Subject to section 74, the lands that may, without the consent of the owner, be taken for the right-of-way of a pipeline shall not exceed sixty feet in breadth. 1959, c. 46, s. 73.

Leave to Take Additional Lands

74. (1) Where a company at any time requires more ample space than it possesses or may take under section 73, for the efficient construction, maintenance or operation of a pipeline or for constructing or taking any works or measures ordered by the Board, it may apply to the Board for authority to take, without the consent of the owner, the additional lands required for such purposes.

(2) The Board shall set a time for the hearing of the application which shall be sufficient to permit at least twenty-one days notice thereof to be given by the company to the owners or possessors of the additional lands required, and the company shall give notice thereof accordingly and shall, upon such hearing, furnish to the Board copies of such notices, with affidavits of the service thereof.

(3) The company, upon the application, shall also furnish to the Board such plans, profiles and books of reference and additional information as the Board may require.

(4) After the time stated in such notices, and the hearing of such parties interested as may appear, the Board may, in its discretion and upon such terms and conditions as it deems expedient, authorize in writing the taking for the said purposes of the whole or any portion of the lands applied for.

(5) Copies of the authorization of the Board and of the plan, profile and book of reference, certified as such by the Secretary of the Board, shall be deposited with the registrars of deeds of the districts or counties in which the lands are situated. 1959, c. 46, s. 74; 1960-61, c. 52, s. 11.

Purchase and Conveyance; Expropriation

75. (1) Sections 145 to 184 and 186 of the Railway Act, in so far as they are reasonably applicable and not inconsistent with this Act, apply mutatis mutandis to companies and their works and undertakings. R.S., c. N-6, s. 75; R.S., c. 27 (1st Supp.), s. 21.

